

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,	)	CASE NO. CR06-463-JCC
	)	
Plaintiff,	)	
	)	
v.	)	SUMMARY REPORT OF U.S.
	)	MAGISTRATE JUDGE AS TO
MICHAEL ANTHONY REYES,	)	ALLEGED VIOLATIONS
	)	OF SUPERVISED RELEASE
Defendant.	)	
_____	)	

An initial hearing on supervised release revocation in this case was scheduled before me on April 15, 2010. The United States was represented by AUSA Bruce Miyaki and the defendant by Lynn Hartfield. The proceedings were digitally recorded.

Defendant had been sentenced on or about June 1, 2007 by the Honorable John C. Coughenour on a charge of Felon in Possession of a Firearm, and sentenced to 33 months custody, 3 years supervised release. (Dkt. 25)

The conditions of supervised release included the standard conditions plus the requirements that defendant submit to search, participate in substance abuse treatment and testing, participate in mental health treatment, abstain from alcohol, and provide financial

01 information as requested to his probation officer.

02       On October 9, 2009, defendant was sentenced to time served for violating the conditions  
03 of supervised release by failing to report for drug testing, using methamphetamine, failing to  
04 report to his probation officer as directed, failing to notify his probation officer of a change in  
05 residence, and associating with a known felon. (Dkt. 38) He was directed to satisfactorily reside  
06 and participate in a residential reentry center program for up to 120 days, and not associate with  
07 any known gang members.

08       On December 1, 2009, defendant admitted to violating the conditions of supervised  
09 release by failing to satisfactorily participate in a residential reentry center program for up to 120  
10 days. (Dkt. 43.) Defendant was sentenced to 120 days with credit for time served, plus 2 years  
11 and 6 months supervised release (Dkt. 49.)

12       In an application dated April 7, 2010 (Dkt. 51), U.S. Probation Officer Brian K. Facklam  
13 alleged the following violations of the conditions of supervised release:

- 14       1.       Failing to report as directed, in violation of standard condition 2.
- 15       2.       Associating with Star Tavares, in violation of his special condition prohibiting  
16 association with this person without prior written approval.
- 17       3.       Failing to submit to drug testing as directed on or about April 5, 2010, in violation  
18 of the special condition ordering him to submit to drug testing as directed.
- 19       4.       Failing to notify of a change of address, in violation of standard condition 6.

20       Defendant admitted the alleged violations and waived any evidentiary hearing as to  
21 whether they occurred.

22       I therefore recommend the Court find defendant violated his supervised release as

01 alleged, and that the Court conduct a hearing limited to the issue of disposition. The next  
02 hearing will be set before Judge Coughenour.

03 Pending a final determination by the Court, defendant has been detained.

04 DATED this 15th day of April, 2010.

05 

06 Mary Alice Theiler  
07 United States Magistrate Judge

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09  
10 cc: District Judge: Honorable John C. Coughenour  
11 AUSA: Bruce Miyaki  
12 Defendant's attorney: Lynn Hartfield  
13 Probation officer: Brian K. Facklam  
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